MEETING MINUTES – November 15, 2000 FORMER LAKE ONTARIO ORDNANCE WORKS SITE (L0OW) RESTORATION ADVISORY BOARD

To: Restoration Advisory Board Members and Interested Parties

From: May Kay Foley, U.S. Army Corps of Engineers, Project Manager

SUBJECT: Minutes of November 15, 2000 RAB Meeting

RAB Members Present:	Affiliation:
William Roger Angus	Community Member
Mike Basile	USEPA
Paul Dicky	Niagara County Health Department
Thomas Freck	Community Member
Tim Henderson	Community Member
Kent Johnson	NYS Department of Environmental Conservation
Charles Lamb	Town of Porter
Bruce Mero	U.S. Air Force
Nona McQuay	Community Member
Dan Rappold for Walter Polka	Community Member
Stephen Yaksich, Government Co-Chair	US Army Corps of Engineers, Buffalo District
Rebecca Zayatz	Chemical Waste Management, Inc.
RAB Members Absent:	
Lawrence Brennen	Community Member
Martin Hodgins	Community Member
Clyde Johnston, Jr.	Community Member
Darwin James Langlois	Town of Lewiston
Edward Lilly	Community Member
Andrew Mess	Community Member
Dr. Nils Olsen, Jr.	Community Member
Neil Patterson	Community Member
Daniel Serrianni, Jr.	Community Member
Gary Smith	Community Member
John Syms	Somerset Group

Introduction and Welcome - Call Meeting to Order at 7:10 P.M. by Ms. Arleen Kreusch

- The meeting was called to order and began by having the RAB members and guests introduce themselves.
- The minutes from the last meeting were approved.
- Action Items from the last meeting were reviewed.
- The Corps is still addressing the issue of the status of the buildings at the LOOW Site. This will remain an Open Action Item.
- Mr. Syms to bring in map showing areas where wastes were buried on the NFSS.
- There is no new information available yet regarding the Health Studies. This will remain an open Action Item.
- Documentation regarding the restraining orders on NFSS is available. The Corps is still addressing this issue and it will remain an open Action Item.

Slide Presentation - Corps of Engineers provided an overview of activities associated with the DERP-FUDS Program at the Former Lake Ontario Ordnance Works Site.

A brief twenty (20) minute question and answer period followed the presentation to address specific questions of any Board Member and members of the audience. A summary of questions and responses are presented in the tables below.

Questions and Answers from Restoration Advisory Board Members Regarding the Former Lake Ontario Ordnance Works Site

COMMENT	RESPONSE
Charles Lamb: If I understood you right, you said that there was a pipeline that goes under the school property, then you said that it had been sealed, but then I heard you say that it is still in use by the Town of Lewiston.	Bill Kowalewski: It was sealed where the pipe intersected with the wastewater treatment plant on Town of Lewiston property. My understanding is that is tied into further down stream and that is why it is still used. The flow from the Lake Ontario Ordnance Site was blocked off.
William Roger Angus: The unsafe buildings on the Town of Lewiston's property, you are applying for funding to remove the, have you assumed responsibility for that parcel.	Bill Kowalewski: We got a letter of request from the Town to see whether or not the Corps could get involved and demolish those buildings. We are at the point now where we are determining if that site is eligible for federal funding, and if so pursue funding to demolish those buildings.
If anything that happens in the immediate future, it is still the property owner, the Town of Lewiston, that is responsible?	Absolutely.
Nona McQuay: To your knowledge, what steps have been taken to secure this property so that is not a danger to those who might be on the site.	Bill Kowalewski: The site is fenced off and locked up. In general it is not accessible. But there is a risk of kids climbing over the fence, which we think has happened in the past.
Some of you may not be aware that the RAB group did tour this property and was the group to bring to the attention of various people that this was dangerous property. At that time we were directed to a hole in a building, I think it was the acid neutrification building, in the floor of the building. Had someone fallen into that hole they would not be able to remove themselves from the pit underneath. Has that been remediated to you knowledge?	No it hasn't been. The buildings that you are referring to were not part of our action to remove the TNT lines, they didn't connect which was a criteria that we had to follow. The buildings are generally pretty beat up, if somebody tried hard they could get in there. As of yet we are determining whether we could get in and help out and tear those down for the Town.
Thomas Freck: Just a point of information the 30" outfall line is about 100 yards from here. The entire pipe was relined in 1975. So it should be impervious.	

Questions and Answers from Restoration Advisory Board Members Regarding the Former Lake Ontario Ordnance Works Site (Continued)

COMMENT	RESPONSE
Kent Johnson: Just a follow up on the funding issue, as far as I know right now there are insufficient funds to do any of the additional interim measures which have been proposed out there which range from 2 to 6 million dollars. Right now the Corps has been given a half a million dollars for 2001 which is enough to basically finish up the work that they are doing now. There is no money to do any interim measures for next year, so there will be no construction at this current time. The department is currently drafting a letter to go under the commissioner's signature to go to the General who is in charge of the North Atlantic Division, which is a couple of levels above these guys, to try to persuade them to give more funds to the program. I would encourage board members and members of the public also to write their congressman or to General Rhodes himself to try to encourage him that the project is worthwhile and should continue to receive sufficient funding. I doubt that they are going to give any money, even though it is likely that it would be a federal responsibility to take care of those buildings on the Lewiston property. Nona McQuay: With the reduction of funding what other remedial actions are threatened?	Bill Kowalewski: The work that we started with the funding that we have now we will be able to finish up the TNT line next summer. We will finish up Phase II investigations. Once those two activities are complete, unless we get more funding, there won't be any physical activity on the site. We will try to press on with our engineering studies, and
	things we can do on our own, but we don't have any construction money.
Tim Henderson: What level, what standard is the final cleanup to. Can you recommend light industry in that area?	Bill Kowalewski: We are not even close to making that determination. I want to stress that the actions that I am describing are interim and that's an effort to remove a bulk of the known waste. The finer points of the investigation, the risk assessment, we are not even close to determining that.

Questions and Answers from Restoration Advisory Board Members Regarding the Former Lake Ontario Ordnance Works Site (Continued)

Thomas Freck: Last time I asked about investigation of the Rochester Burial Area and the Castle Garden Dump, which is supposedly I believe on Chemical Waste Management property, have you made any progress locating the sites.

Are there any other sites which you have to investigate that you know of, hotspots that are outside your area? I heard property owners mention that you had approached them out by Route 93, possibly going on their property, like the Bell Aerosystem property. Will you be going off the CWM site at all, or are you pretty much stuck to that?

There is an additional site outside the fence at CWM with ground scars on aerial photos that started since 1958, and it's an area that should probably be investigated. It is not the Acome garbage dump which is off to the side, mythically it was a government waste area just west of the CWM property. In local folklore that was also another chemical dump of the military. I have no knowledge of this, it is just local folklore. I do have pictures of ground scars and it is right in the location that people talk about. It is an area of concern because there are possibly lost chemicals that are buried in the ground.

Bill Kowalewski: Yes, we met after the last RAB meeting and started talking about those sites and Judy will touch on that.

The only sampling that we pursued outside that boundary are background samples, where we think there is clean soil and clean groundwater to compare to the contaminated site. We are not pursuing any investigations outside that boundary.

I know that it is mentioned in our History Search Report. Those are the aerial photographs from the remedial investigation.

Arleen Kreusch: We will put that as an action item for the next meeting

Questions and Answers from Members of the Audience Regarding the Lake Ontario Ordnance Works Site

COMMENT	RESPONSE
Marn Weld: Was the town of Lewiston notified in writing about your findings of unsafe buildings on their property.	Bill Kowalewski: It's the Town's property. We have not had any cause to write or notify the Town of the condition. They are the ones who give us access to the property. I believe that Town is well aware of the condition of the building.
You were saying that you were evaluating potential of demolishing the building.	What we are doing is the Town requested our assistance to see if there is any way the Corps could fund and execute the demolition of those buildings and we are looking into that right now.
Audience Member: I live in the Town of Tonawanda area, by your Ashland site. I think some of the radioactive waste has come up here. There are bases for keeping the radioactive waste right where it is, and build newer technology so that this can be addressed. Right now, in the Town of Tonawanda, in the Brookside Terrace area we have an extreme rate of cancer increase. It really has to be addressed. You guys go out there in your white suits and respirators and you walk along the lines, a good case is in Woodlawn around Lake Erie where we had swimmers and right across the fence we've got people from the Corps of Engineers with respirators and white suits on. The thing of it is we have people dying, big time. If you come up to the Town of Tonawanda, house after house, it has to be addressed.	Arleen Kreusch: We do have a separate mailing list for the Town of Tonawanda sites, and we will put you on that list.
I would like the body here to know. We are talking about a hazardous area, but not one place in these brochures do you talk about cancer, premature cancer, we have young people dying, four stages of cancer right here at Roswell in Buffalo. Just come in and see the people that are in Roswell, it will open your eyes.	Paul Dicky: The State Health Department has a cancer surveillance initiative, where they are statistically looking at cancer across the state, comparing it on a zip code by zip code basis. It is coming out, first it was on a county by county comparison, that information was released. I don't believe that Niagara or Erie county was flagged as being an exceptionally high cancerous area. They are reducing the resolution by zip code, we are going to compare zip code by zip code in eight bases, and they have released the breast cancer data back in April. As I mentioned we will soon have lung cancer and colorectal cancer, it will go further to prostate cancer and non-hodgins lymphomas, and I can't think of the other ones now. That data will keep coming out. There was a statistically elevated area flagged for Tonawanda, North Tonawanda as a regional zone of a couple of zip codes put together. The State Health Department hasn't really decided how they are going to interpret this and what the next step will be.

Questions and Answers from Members of the Audience Regarding the Lake Ontario Ordnance Works Site (Continued)

COMMENT	RESPONSE
Audience Member: I can answer for you. I am working directly with the trades. What we have is 30% of the retirees have moved out of the state, and they really don't show up unless we contact the people. People just do not want to raise a family in this area. I think the Corps of Engineers is really doing a good job in what they are trying to do, but I think we need more funds, I think we need to get Congressman LaFalce to come up to the plate and say hey listen we have to bring the money in here.	
Ron Kuis (Somerset Group): Does the Corps have any idea where the RDX came from at LOOW or on the Somerset Group property?	Bill Kowalewski: It was one sample that showed up positive for RDX. I can't speculate were it might have come from.
Are you familiar with RDX?	RDX is an explosive that's used in blasting caps and high energy explosives.
Ron Kuis: There are 15 wells on the Somerset Group property at this time. Will all those wells be sampled and results presented in the remediation report we were talking about for 2001?	Sandra Stiagerwald (EA Engineering): The preexisting wells that were put in nine or ten years ago, those have been redeveloped and sampled. The samples have been sent off to a laboratory and we expect results in several weeks. Then there were some wells we installed this year, and those will also be sampled. All of the wells are in, but they haven't been developed for samples. The results will be in the report.
Tim Henderson: Pending the demolition of the Town of Lewiston buildings, can something simple be done to make them more inaccessible or less of an attractive nuisance?	Bill Kowalewski: You would think with a barb wire fence that would deter people from going in there. If people are bound and determined to really try to get in there, I really don't know how you would stop them, short of taking the buildings down, filling the holes with dirt and grading it all out. You might flag it and try to warn someone of the hazard a little more.
Al Kravitz: When did they determine the status for Erie and Niagara Counties? In other words where people are dying, do they take this and compile it into the whole county so that it is eliminating high rates that you have?	Paul Dicky: Cancer is a reportable disease by law. Whenever a person is diagnosed with cancer or the cause of death on the death certificate implicates cancer, that information is placed on a state database, and that is what the state is pouring through to bring out the statistical math component. There are limitations, if you move out of the area before you are diagnosed, you might not be flagged for that study. Conversely, if you grew up in another part of the country and moved here recently and were just diagnosed, you would be part of the study, so it is not perfect but it is the best data they can work with.

Questions and Answers from Members of the Audience Regarding the Lake Ontario Ordnance Works Site (Continued)

COMMENT	RESPONSE
Al Kravitz: Do they compile where the people have cancer and put it into the whole county. So in other words, you haven't got an urgency for cancer in that area?	Paul Dicky: They have done county by county comparisons, and that information has already been released. But now they are also doing zip code by zip code comparisons so they are using the same data but refining it more by zip code. So it will be more specific.
Steven Stumpf: You hear everyone talking here, I think anybody who has more than a third grade education knows this area, knows the cancer rates in this are. These studies will be done forever. We have lost almost 30,000 people in the last few years just out of Niagara Falls alone. I heard one of the board members say last time that 6 families were affected in 1,400 foot of neighborhood. My yard is 100 by 100, and out of my family of 8 I have buried three of us, and the fourth has been diagnosed with cancer, pancreas, liver, brain, breast, lymphoma. We all know it is here. My biggest concern is when are we going to get it out of here? Sooner or later this buck has to stop and we have to clean it up. We keep talking about it, but we don't see much getting done.	

Site Briefing – Corps of Engineers provided an overview of activities associated with the Formerly Utilized Sites Remedial Action Program (FUSRAP) at the Niagara Falls Storage Site. The Corps will be interviewing employees who worked at the Niagara Falls Storage Site or anyone with knowledge of operations at the Niagara Falls Storage Site prior to 1986.

A brief twenty (20) minute question and answer period followed the briefing to address specific questions of any Board Member and members of the audience. A summary of questions and responses are presented in the tables below.

COMMENT	RESPONSE
Thomas Freck: You mentioned the Rochester Burial Area, which is the plutonium waste area, but you didn't say anything about the Castle Garden Dump which also was a radioactive waste burial area. Do you have any intention of looking for that also?	Judy Leithner: It looks me like it still falls into the vicinity property G area.
Tim Henderson: I appreciate the thoroughness and the caution that the Corps is taking, but it has been 50 years.	Judy Leithner: It's been two and a half for the Corps and I understand your frustration.
Audience Member: How many people in this room will still be alive when this will be a green lush field? I bet none of us.	Judy Leithner: I would bet you won't even see a green lush field.
I don't think in any of our life times we will ever see this cleaned up. So it will be my children's children, maybe if they decide to stay here, that will have to see this a clean area. Because it won't happen in my lifetime.	You look young enough I think it will.
My sister was 36 when I lost her to cancer, my brother was 28.	We are as worried about people's heath as you are. We don't live that far from here.
I agree with Mr. Henderson that we won't see it for another 50 years.	If it's another 50 years we've done something really wrong.
What is your prediction?	My prediction would be beginning the cleanup in 2008, and finishing the cleanup in 2011.
Will you still be on the job in those years?	I don't plan on retiring in those years.
I'll write those dates down.	You don't have to, those are the dates we give to Congress, they watch us very closely.

COMMENT	RESPONSE
Thomas Freck: In your report to Congress it gives until the year 2028.	Judy Leithner: If we had funding we couldn't start right away, because we would be in that situation where we could go out and clean up what we know is there, but you don't know everything that is there yet, so you do half a job. Last year I spent \$5.6 million on this cleanup, this year I am spending \$7.5 million, and that is just to make sure that we don't miss anything. In case you are thinking this is something that is cost restrained and we are doing something less than we should be doing just because we don't have the money, not true on this project.
Audience Member: They spent \$58 million to investigate Whitewater. We are spending our money not as wisely as we should I guess.	Judy Leithner: I really can't speak about that issus, but what I am talking about here is 191 acres and a waste site. Acreage has something to do with it, types of compounds that would be there would have something to do with it. There are some things that if you were looking for explosives for example would cost a lot more to look for than some of what we are doing. So it is not as simple as "Hey, here is a site and we spent X, and here is a site and we spent Y." What was there, and how much of a hazard does it pose to people.
We are not holding our elected officials to the responsibility that they promised us. \$58 million was spent foolishly to do nothing, my money, your money. When you talk \$6 million for this area here it's a drop in the bucket.	But I still worry about it because I am a tax payer like you, so I will be very careful.
Philip Sweet: You know you talk about a threat to your workers, but you don't talk about the immediate threat to the public in this area. Can you state to the Buffalo News that there is no immediate threat to the public?	Judy Leithner: Yes, but I couldn't have said that 40 years ago when that stuff was sitting in a silo. 40 years ago when it was sitting in a silo I would have probably told you there is almost certainly a threat to the general public.
How do you address the high cancer rates? We have all these people moving out of the state, and that have to be brought into the overall picture of the statistics.	Right now what I can do since all I am is an engineer, and not a medical person, is clean this up as carefully and as fast as I can. That is all I can do, in terms of cancer rates. I worry about you, I worry about myself, this is something that is not a joke, and it something that we know in Western New York, it appears that there are high cancer rates for a number of things. I can't say that at some point that site didn't cause a problem. All I can do is clean it up.

COMMENT	RESPONSE
Philip Sweet: Would you be willing to work with the medical community?	Judy Leithner: Well actually we have suggested that if people have concerns they call the medical people and they are always able to call us. The problem I do have is if some of you say what's the incidence of cancer so many feet from here, I don't know.
The thing that hit me hard is you are talking about your workers out there. You are overly concerned about the workers in the field.	They are much closer than people in the community.
This air brings it in, the predominant wind.	Fortunately what you are concerned about has been covered over now, but I would have been very worried about how the wind took it when it sat on the surface.
I have a standing offer for you right now with the Buffalo News if you would be willing to work with the medical community, that is all I am asking, I could set it up.	Actually what I had just said, if they want to call us we will answer any questions that we are able to answer. They can call me and ask for site information and I can give it, they can call and ask for medical information and I am not qualified to give it.
	Bill Kowalewski: The Corps is limited in what it is
Mary Ann Rolland: Since Mr. Syms is not here, he was going to bring a map, is that correct, of locations. DO you happen to have that information?	authorized to do, and that is engineering. Judy Leithner: He didn't bring it because his wife is ill, so he can bring that they next time he is able to come. Since we are investigating the entire property anyway, it really isn't going to hold us up. For instance, when we talk about this geophysical study and looking subsurface for buried drums, it's just a nice check point because if we see buried drums and his map shows us there are buried drums, then it agrees. If we were a few feet off, then we would start looking at surveys, but we would be looking for a one to one correspondence with what he has on his maps and what we see with out studies. But whatever we see we are going to clean it up, it doesn't matter if it isn't on his map, we will clean it up.
You haven't started that yet.	No, they are writing the work plans now, they have until the 22^{nd} to get them to us.
Linda Shaw (Somerset Group): I was always under the impression that the NFSS was 10 acres, but you just mentioned 191, what does that consist of?	Judy Leithner: The 10 acres is the buried material itself, the 191 acres is the entire site and this 10 acres sits on the South West portion of that property.

COMMENT	RESPONSE
Linda Shaw (Somerset Group) The other 181 acres, is that because the rest of it has some degree of radiological contamination, so that is why the entire site was given that designation?	It's because that was what was known to have had had radiological storage on it. We aren't finding rad material on all of it, but we are checking all of it.
Linda Shaw (Somerset Group): You had mentioned earlier that the first set of data was revealed, but I thought that you had revealed in general that there were exceedences, but not actual numbers, so is that still the case?	Judy Leithner: Not in the detail that you are talking about, it is still it is still under qualification.
Linda Shaw (Somerset Group): My final question has to do with the geophysical investigation at the Rochester Burial Area, I was always under the impression that this whole site was clay, and I didn't think that geophysical investigations worked with clay, the clay soil interferes with those kinds of investigations. Also I thought that you had mentioned that your interview with the worker last time indicated that the rats were in wooden crates, so why would you do a geophysical investigation when that really looks for metals as opposed to wood?	Judy Leithner: Electromagnetic Conductivity looks for both metals and non-metals. The high conductivity materials are metals, the opposite shows things like buried areas where there might be crates or fills, it also shows if you have an aqueous substance.
I was always under the impression that none of that works when you have clay soils.	Not true. There are some of them that will pick up metals and they are useless on clay soils, there are others that are good with clay soil, and that is why we are using so many techniques. It is \$1.6 million because of the kind of techniques and because of the acreage we are using them on. Now that will be more as we extend it on to Vicinity Property G because that was the cost for the NFSS only.
Nona McQuay: Will the geophysical means of investigation indicate to you the status of the cell that contains the radium.	Judy Leithner: Yes. If there were a seismic event in the area it might crack the cell, so we are looking for any faults, and there are a couple of techniques that would show that. It will tell us the condition of the basement the K-65s were placed in, are there cracks. It will tell us whether there would be water pooled underneath. We will use a combination of techniques. What we know from testing the wells is that nothing that is in the cell has gone anywhere. But it will tell us how imminent this might be, is it going to be 200 years or is it going to be 5 years. Rest assured if it looked like it was going to be five years we would get started right now. We would go to Congress and say we need the money, it doesn't matter what you are giving us for the program, this is serious. And they do respond to something like that.

COMMENT	RESPONSE
William Roger Angus: What was the determination of the cap life currently?	Judy Leithner: They had actually said 25-50 years, 25 years is up in 2011. We go over that cap all the time checking for whether there are radon leaks and so on, there are not. The protectiveness is to make sure that the four feet of clay over the top has no cracks, that it is kept hydrated, the grass over it is kept clipped.
I guess my concern would be if we take the safe approach and say 25 years, if it is 2011, if we were to determine today to remove it, we probably couldn't get it done by 2011.	Judy Leithner: What we could do is put a "permanent cap" on. That would be protective for a good many more years than that. Lets just say that after we get the feasibility study done, they tell us what it looks like is best is that we go in and dig this stuff up, treat it, and transport it somewhere. Before we would dig it up and treat it, we would have to take a small sample of it, and make sure that the treatment worked. So that would buy us the time to do that treatment study to make sure what we were doing was safe. It is not like if this thing fails right now the whole community would be in danger, we would go in and put a better cap on until we get this sorted out.
Mary Ann Rolland: You had done some interviews and you had mentioned that you would request more interviews from people. Were the interviews that you had not helpful?	Judy Leithner: They were very helpful. There are two reasons why we are doing more. The first is we didn't get many answers to the ads. What we did get was everybody that we talked to had a list of names. Each time we talk to somebody we get another list, so it is just growing and growing. We'll get as many people as want to talk to us.
Ron Kuis: Is there a build-up of radon gas within the NFSS? Is the radon gas being released either intentionally through vents or through cap fissures?	Judy Leithner: Radon is slowly generated and begins to move through the 5 ½ feet of soil covering the buried material. Radon has a half-life of 3.62 days. By the time it moves through all the soil to the surface, almost all of it is no longer radon – it is harmless.

Action Items:

- Mr. Syms to bring in map which shows the areas where the drums are buried on the NFSS.
- The Corps will run the ad asking for employees of the Niagara Falls Storage Site prior to 1986 to participate in voluntary interviews again to get a broader scope of people. Corps will also asked interviewees if they know of anyone who could be contacted for an interview.
- Posters will be placed in the Ransonmville, Lewiston and Youngstown Public Libraries, and respective Town Halls to announce upcoming Restoration Advisory Board Meetings.
- Corps to provide briefing regarding the status of the buildings the Lake Ontario Ordnance Works Site.
- Niagara County Health Department to identify availability of someone from the New York State Health Department to present information on future health studies.
- Corps to send letter to New York State Health Department regarding restraining order.
- Corps to address issue of ground scar.

Agenda Items for the Next meeting:

• Will follow the same agenda format.

Next meeting scheduled for March 7, 2000.

Guests Present:	Affiliation:
Norma Hanny	Self
Mary Kay Foley	USACE
Mary Battaglia	USACE, CT
Tara Colangelo	USACE
Arleen Kreusch	USACE, CT
Alexander W. Kravitz	Self
Michelle Kenny	Self
Joan Broderick	Self
Ron Kuis	Somerset Group
Elizabeth Jordan	Self
Lydia Rappold	Congressman LaFalce
Judy Leithner	USACE
Tom Leithner	Self
Lorraine Miller	Self
Irene Murawski	Self
Marn Weld	Self
James Wilson	Self
William Kowalski	Self
Mary Ann Rolland	Town of Porter Brownfields
Philip Sweet	Self
Kristin Sebastian	Citizens Environmental Coalition
Ed McGreery	Self
Chet Bridger	Buffalo News
Michelle Rehmann	International Uranium Corporation
Jim Darnall	IT Corporation
Linda Shaw	Somerset Group
Steve Mikolaichik	Self
Roberta Mikolaichik	Self
Gary Wood	Rame Research Site
Sandra Stiagerwald	EA Engineering
Steven Stumpf	Self
Janet Hinkel	Citizens Environmental Coalition
Bill Kowalewski	USACE
Dave Frothingham	USACE